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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/764,500	01/27/2004	David A. Matthews	MFCP.110232	6265
45809 7590 12/27/2007 SHOOK, HARDY & BACON L.L.P. (c/o MICROSOFT CORPORATION) INTELLECTUAL PROPERTY DEPARTMENT 2555 GRAND BOULEVARD KANSAS CITY, MO 64108-2613			EXAMINER AUGUSTINE, NICHOLAS	
			ART UNIT 2179	PAPER NUMBER
			MAIL DATE 12/27/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/764,500

Applicant(s)

MATTHEWS ET AL.

Examiner

Nicholas Augustine

Art Unit

2179

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 12 October 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1 and 3-33 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1 and 3-33 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12 October 2007 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                     | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

**DETAILED ACTION**

- A. This action is in response to the following communications: Amendment filed: 10/12/2007. This action is made **Final**.
- B. Claims 1 and 3-33 remains pending.
- C. Drawing objection withdrawn due to amendment.
- D. Rejection under 35 USC 101 is withdrawn due to amendment.

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1 and 3-9, 12-20 and 23- are rejected under 35 U.S.C. 102(e) as being anticipated by Santoro et al. (US 6,724,403), herein referred to as "Santoro".

As claim 1, Santoro teaches a computer-implemented method for controlling tiles within a sidebar receiving a request to manipulate a selected tile in a sidebar (col. 3, lines 35-41; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51), in response to the

request, determining a current status of the selected tile (co1.8, lines 42-45); selecting an appropriate rule set based on the identity of the manipulation requestor (fig. 24; col. 22, lines 1-22), wherein the appropriate manipulation rule set is one of an application manipulation rule set (col. 15, lines 1-4, that the application and framework are responsible for managing the grids and tiles; col. 15, lines 42-51) and a user manipulation rule set (col. 7, lines 40-51); and locating an appropriate manipulation rule within the appropriate rule set based on the current status of the selected tile and content of the request and manipulating the selected tile in accordance with the located appropriate manipulation rule (fig. 12, labels 1204, 1206, 1208, 1210; col. 12, lines 66-67; col. 13, lines 1-6; co1.11, lines 39-41; fig. 4, labels 408, 410; col. 9, lines 11-16).

As claim 3, Santoro further teaches receiving a request from the system user to add the selected tile to the sidebar and manipulating the selected tile to add the selected tile to a top of the sidebar (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the

As claim 4, Santoro further teaches receiving a request from the application to add the selected tile to the sidebar and manipulating the tile to add the selected tile to a bottom portion of the sidebar (fig. 8; col. 11, lines 63-67; col. 12, line 1-13).

As claim 5, Santoro further teaches providing a user notification to instruct the system user regarding removal of the selected tile (col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" removes the tiles out of the Gird Wizard; col. 17, lines 4-14).

As claim 6, Santoro further teaches receiving an application request to show the selected tile, determining the status as hidden, and manipulating the selected tile to reveal the selected tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the message "New Mail" is hidden, and when the application receives a new mail the selected tiles reveals "New Mail").

As claim 7, Santoro further teaches receiving an application request to hide the selected tile, determining the status as visible, and manipulating the selected tile to hide the selected tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the message "New Mail" is visible, and when the application receives input the mail item has been read, it returns to the default setting).

As claim 8, Santoro further teaches receiving a user request to remove the selected tile and manipulating the tile by banning the selected tile from the sidebar (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by

using the "drag and drop" removes the selected tiles out of the Grid Wizard and essentially banning it from being displayed; col. 17, lines 4-14).

As claim 9, Santoro further teaches receiving an application request to Show the selected tile, determining the current status of the selected tile as banned, and refusing to show the tile based on the appropriate rule sidebar (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" removes the tiles out of the Grid Wizard and essentially banning it from being displayed; col. 17, lines 4-14).

As claim 12, Santoro further teaches providing a blank space to indicate one of a newly installed and a banned tile (fig. 25, labels 2512, 2522, 2524, 2526; col. 22, lines 21-41 and 51-63, that the tile is blank when the grid is rendered prior to requesting the data stream).

As claim 13, Santoro teaches a system for controlling tiles within a sidebar when a manipulation request is made by a system user or by an application to manipulate a selected tile (; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51; col. 23, lines 61-67), the system comprising: an input module to receiving the manipulation request; a status determination module configured to indicate for

indicating a current status of the selected tile (col. 8, lines 42-45; col. 22, lines 57-67); one or more user manipulation rules for defining an appropriate disposition of the selected tile based on the current status of the selected tile (fig. 24; col. 3~ lines 35-41; col. 22, lines 1-22) when the manipulation request originates from the system user (col. 3, lines 35-41; col. 15, lines 1-4, that the application and framework are responsible for managing the grids and tiles (col. 15, lines 42-51); one or more application manipulation rules defining an disposition of the selected tile based on the current status of the selected tile when the manipulation request originates from the application (fig. 5, label 510; fig. 12, labels 1204, 1206, 1208, 1210; col. 3, lines 35-41; col. 10, lines 4-6; col. 12, lines 66-67; col. 13, lines 1-6; col. 11, lines 39-41; fig. 4, labels 408, 410; col. 9, lines 11-16); and one or more manipulation tools (fig. 14; col. 7, lines 11-15; col. 13, lines 54-61) configured to manipulate the selected tile in accordance with one of the user manipulation rules and the application manipulation rules (fig. 4, labels 408,410; col. 3, lines 35-41 ; col. 9, lines 11- 16).

As claim 14, Santoro further teaches the user manipulation rules provide for adding the selected tile to be added to a top portion of the sidebar upon receiving the manipulation request from the system user (col.3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the ."drag and drop" adds the tiles on to the Grid Wizard; "profiles").

As claim 15, Santoro further teaches the application manipulation rules provide for adding the selected tile to a bottom portion of the sidebar upon receiving the manipulation request from the application (fig. 8; col. 11, lines 63-67; col. 12, line 1-13).

As claim 16, Santoro further teaches the application manipulation rules further require providing a user notification to instruct the user regarding removal of the selected tile (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the tiles removes the tiles out of the Gird Wizard; col. 17, lines 4-14).

As claim 17, Santoro further teaches the application manipulation rules provide for showing the selected tile Upon receiving an application request after determining the current tile status as hidden (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the message "New Mail" is hidden, and when the application receives a new mail the selected tiles reveals "New Mail").

As claim 18, Santoro further teaches the application manipulation rules provide for hiding the selected tile upon receiving an application request and determining the current tile status as visible (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines

11-16, that the message "New Mail" is visible, and when the application receives input the mail item has been read, it returns to the default setting).

As claim 19, Santoro further teaches the user manipulation rules provide for banning the selected tile from the sidebar upon receiving a user request (col. 3, lines 35-41; col. 13 lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the tiles removes the tiles out of the Grid Wizard and essentially banning it from being displayed; col. 17, lines 4-14).

As claim 20, Santoro further teaches the application manipulation rules, upon determining the current tile status as banned, require refusal to show the selected tile upon receiving an application request (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the tiles removes the tiles Out of the Grid Wizard and essentially banning it from being displayed; col. 17, lines 4-14).

As claim 23, Santoro further teaches the user interface option menu includes a blank status indicator to indicate one of a newly installed and a banned tile (fig. 25, labels 2512, 2522, 2524, 2526; col. 3, lines 35-41 ; col. 22, lines 51-63, that the tile is blank when the grid is rendered prior to requesting the data stream).

As claim 24, Santoro teaches a method for controlling a selected tile within a sidebar upon receiving an application request for manipulation of the selected tile (; col. 3, lines 25-41; col. 4, lines 34-41 ;fig. 1, col. 6, lines 39-51), the method comprising: receiving the application request from manipulation of the selected tile; determining a current status of the selected tile in response to the application request (col. 8, lines 42-45); selecting an appropriate tile manipulation rule for the application based on the current status of the tile (fig. 24; col. 22, lines 1-22; fig. 12, labels 1204, 1206, 1208, 1210; col. 3, lines 35-41; col. 12, lines 66-67; col. 13, lines 1-6; col. 11, lines 39-41; fig. 4, labels 408, 410; col. 9, lines 11-16); and manipulating the tile in accordance with the selected tile manipulation rule (col. 7, lines 40-51 ; col. 15, lines 1-4, that the application and framework are responsible for managing the grids and tiles; col. 15, lines 42-51).

As claim 25, Santoro further teaches determining the current status as banned and selecting the appropriate tile manipulation rule that refuses entry of the selected tile in the sidebar (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the tiles removes the tiles out of the Grid Wizard and essentially banning it from being displayed; col. 17, lines 4-14).

As claim 26, Santoro further teaches determining the current status as hidden and selecting the appropriate tile manipulation rule that allows the application to reveal the hidden tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the message "New Mail" is hidden, and when the application receives a new mail the selected tiles reveals "New Mail").

As claim 27, Santoro further teaches determining the current status as newly installed and selecting the appropriate tile manipulation rule that allows entry of the selected tile at a bottom portion of the sidebar (fig. 8; col. 3, lines 35-41; col. 11, lines 63-67; col. 12, line 1-13).

As claim 28, Santoro further teaches providing a user notification allowing the user to remove the selected tile (col. 3, lines 35-41; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that "drag and drop" the tiles removes the tiles out of the Gird Wizard; col. 17, lines 4-14).

As claim 29, Santoro further teaches determining the current status as visible and selecting the appropriate tile manipulation rule that allows the application to render the tile (fig. 4, label 408; col. 3, lines 35-41; col. 9, lines 11-16, that the

message "New Mail" is visible, and when the application receives input the mail item has been read, it returns to the default setting).

As claim 30, Santoro teaches a method for controlling a selected tile within a sidebar (; col. 4, lines 34-41; fig. 1, col. 6, lines 39-51) based on user preferences (fig. 24, label 2406; col. 22, lines 1-21; fig. 26, labels 2600, 2604; col. 23, lines 1-12), the method comprising: receiving a manipulation request from a user; removing the selected tile from the sidebar upon receiving the user manipulation request tile (col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" removes the tiles out of the Gird Wizard; col. 17, lines 4-14); refusing a subsequent request from an application to insert the selected tile into the sidebar (col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" removes the tiles out of the Gird Wizard and essentially banning it from being displayed; col. 17, lines 4-14); and granting a subsequent request from the user to insert the selected tile into the sidebar (col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" adds the tiles on to the Gird Wizard, which in turn will display content referenced by the URL).

As claim 31, Santoro teaches a computer-readable medium storing computer executable instructions for performing the method of claim 30 (col. 4, lines 55-67; col. 5, lines 1-16; fig. 2, label 112; col. 6, lines 60-67).

As claim 32, Santoro teaches a method for providing a user with control of the positioning of a selected tile within a sidebar based on user manipulation rules and application manipulation rules (; col. 3, lines 35-41; col. 4, lines 34-41 ;fig. 1, col.6, lines 39-51), the method comprising:

inserting the selected tile in a preferred sidebar position in response to a user request to insert the selected tile (fig. 9; col. 12, lines 13-19; col. 13, lines 1-6; fig. 14; col. 14, lines 4-15, that by using the "drag and drop" adds the tiles any where the user selects on to the Gird Wizard); inserting the selected tile in less preferred sidebar position in response to an application request to insert the selected tile (col. 3, lines 35-41, that by setting the parameters allowing the user to control the aspects of the screen display); and allowing a user to preemptively prevent an application from inserting the selected tile in the sidebar (col. 3, lines 35-41, that by setting the parameters allowing the user to control the aspects of the screen display).

As claim 33, Santoro further teaches computer-readable medium storing computer executable instructions for the method of claim 32 (col. 4, lines 55-67; col. 5, lines 1-13; fig. 2, label 112; col. 6, lines 60-67).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

5. Claims 10-11 and 21-22 rejected under 35 U.S.C. 103(a) as being unpatentable over Santoro in view of Oran et al. (US 5,920,316), hereinafter "Oran".

As claims 10 and 21, Santoro does not teach providing a user interface option menu for revealing the current tile status to the system user. However, Oran teaches providing a user interface option menu for revealing the current tile status to the system user (fig. 14, label 74; col. 8, lines 49-67; col. 9, lines 1-11; col. 11, lines 56-67). Therefore, it would have been obvious to one ordinary skill in the art the time the invention to modify Santoro by providing a user

interface option menu for revealing the current tile status to the system user as taught by Oran in order to enhanced monitoring of the system or content available from multiple sources.

As claims 11 and 22, Santoro does not teach providing a check mark to indicate a visible tile. However, Oran teaches providing a check mark to indicate a visible tile (fig. 15B, label 90; col. 9, lines 1-30). Therefore, it would have been obvious to one ordinary skill in the art the time the invention to modify Santoro by teach providing a check mark to indicate a visible tile as taught by Oran in order to easy to use interface for display selection by using check/uncheck boxes.

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**(Note :)** It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006,1009, 158 USPQ 275, 277 (CCPA 1968)).

### ***Response to Arguments***

Applicant's arguments filed 10/12/2007 have been fully considered but they are not persuasive.

A1. Applicant argues that Santoro does not teach selecting a manipulation rule set based on an identity of the requester.

R1. Examiner does not agree. Santoro teaches the use of profiles within the system which would yield the predictable result of profile specific grid

layouts as disclosed throughout the entire teachings of Santoro (col.13, lines 64-67; col.22, lines 1-21; col.23, lines 1-12).

A2. Applicant argues that Santoro does not teach manipulation of a tile based on a current status of a selected tile and a content of the manipulation request.

R2. Examiner does not agree. Santoro strongly teaches how tiles are manipulated based on context and the context status, for example (one tile is directed to a mail box wherein new mail comes in and the tile is manipulated to render to the screen to convey to the user of the system that new mail is available; another tile shows an active instant messaging application running which is updated frequently to render a manipulation to the display device such that conveying to the user various status changes among the applications; other examples are throughout the entire teachings of Santoro (col.8, lines 42-56; col.11, lines 33-45); Also figures 4 and 9 show how one grid can be sized differently from other grids.

A3. Applicant argues that Santoro does not teach when a manipulation request originates from a system user and application manipulation rules used when a manipulation request originates from an application.

R3. Examiner does not agree, please note arguments A1 and A2 above in that Santoro teaches user profiles and application manipulation by application

status changes that render different renderings of a tile pending on the status of the context information of the application currently represented by a tile.

A4. Applicant argues that Santoro does not teach removing tiles from being displayed.

R4. Examiner does not agree. Santoro teaches the removal of a URL which was the path to all of the content to be conveyed and represented from a tile on a user's desktop in a system which features an all HTML user customized grid interface by means of a configuration wizard. Also as stated in the last action the configuration wizard as known in the art yields the predictable result that the user can configure the interface how the user sees fit (removal of an element is a functionality very well known in the art of graphical user interfaces which are constructed by a wizard ([http://en.wikipedia.org/wiki/Wizard\\_\(software\)](http://en.wikipedia.org/wiki/Wizard_(software)))).

Please note It is noted that any citation to specific, pages, columns, lines, or figures in the prior art references and any interpretation of the references should not be considered to be limiting in any way. A reference is relevant for all it contains and may be relied upon for all that it would have reasonably suggested to one having ordinary skill in the art. In re Heck, 699 F.2d 1331, 1332-33, 216 USPQ 1038, 1039 (Fed. Cir. 1983) (quoting In re Lemelson, 397 F.2d 1006, 1009, 158 USPQ 275, 277 (CCPA 1968)).

### ***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

***Inquires***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nicholas Augustine whose telephone number is 571-270-1056. The examiner can normally be reached on Monday - Friday: 7:30- 5:00.

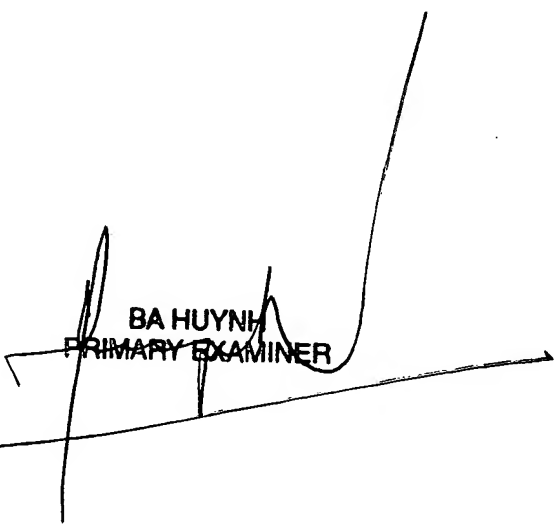
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Weilun Lo can be reached on 571-272-4847. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.



N. Augustine  
December 20, 2007

Nicholas Augustine  
Examiner  
AU: 2179



BA HUYNH  
PRIMARY EXAMINER